

BOARD OF COUNTY COMMISSIONERS

INTER-OFFICE MEMORANDUM

To: Lillian Bennett, Human Resources Director

From: Patrick T. Kinni, Esq.
Sr. Assistant County Attorney

Date: November 18, 2004

Subject: Medical Flexible Spending Plan

In accordance with our meeting of November 16, 2004, regarding the Fringe Benefits Management Flexible Spending Accounts Plan document, we offer the following for your consideration. As we discussed, provisions under HIPAA Legislation require the adoption of a HIPAA privacy policy for our medical flexible spending accounts plan. Attached for your consideration, and for ultimate inclusion into our Personnel Policies and Procedures Manual, presumably under Section 6.08, Flexible Benefits Plan, is a proposed policy, which would accomplish those requirements.

Also included for your consideration is a Notice of Privacy Practices, likewise required under HIPAA regulations. As part of the draft policy, the Notice of Privacy Practices would be made available in hard copy to each employee signing up for utilization of the Leon County Flexible Benefits Plan. Further, we strongly recommend that such notice be made available on our website, most appropriately in the Personnel Policies and Procedures Manual, as part of the appendices to said policy.

Importantly, as part of the HIPAA regulations, and our proposed policy, the County Administrator would be required to designate a Human Resources employee as our Flexible Benefits Plan Privacy Officer, who would be responsible for ensuring compliance with the Policy, including but not limited to, maintaining an accounting log, training employees on Privacy Policies, and investigating complaints.

Once you have had an opportunity to digest and consider the attached documents as well as the contents of this memorandum, please contact our office should you wish to make any revisions, have questions related hereto, or wish to make other comments. We trust this memorandum and attachments provides sufficient direction to your division for purposes of meeting the requirements under federal law, for a Medical Flexible Spending Plan.

Attachment

cc: Parwez Alam, County Administrator
Ernie Poirier, Human Resources Specialist
Amy Cox, Human Resources Generalist

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